

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

**WESLEY MCANALLY, ON §
BEHALF OF HIMSELF AND ALL §
OTHERS SIMILARLY SITUATED, §
§
PLAINTIFF §**

v. §

CIVIL ACTION NO. 5:24-cv-1393

**ELITE FIBER, LLC, JOHN §
MUSCHALEK AND LINDA §
MUSCHALEK, INDIVIDUALLY, §
§
DEFENDANTS §**

NOTICE OF SERVICE OF SUMMONS BY MAIL

In compliance with this Court’s Order (Dkt. 9), Plaintiff attaches hereto proof of service of process on January 22, 2025 by regular and certified mail to John Muschalek, Linda Muschalek, and Elite Fiber, LLC at 817 Paddy Road, Floresville, Texas 78114 (Exh. 1).

Exhibit 2 shows that notice was left for the Defendants at the service address of their residence for both certified items and that neither has been claimed. Undersigned counsel informs the Court that he has not received the “regular” mail copies back, so they have been presumptively received by the Defendants under FRCP 5(b).

THE BUENKER LAW FIRM

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CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2025, I electronically filed a copy of this pleading and served it by electronic transmission through the Court's CM/ECF system.

/s/ Josef F. Buenker
Josef F. Buenker